

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Northern District of Ohio

R. David Wolfe, on behalf of himself and all others

similarly situated *Plaintiff*

v.

Morry Weiss, et al.

Defendant

Civil Action No. 1:12-cv-02776

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

IRVING I. STONE LIMITED LIABILITY COMPANY
Agent/Registrant Information
Irving I. Stone
10500 American Road
Cleveland, Ohio 44144

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Joel Levin, Esq.
Levin & Associates Co., L.P.A.
1301 East 9th Street, Suite 1100
Cleveland, Ohio 44114

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Geri M. Smith
CLERK OF COURT

Date: 01/25/2013

s/Shawn Harrigan

Signature of Clerk or Deputy Clerk



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Civil Action No. _____

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* Irving I. Stone Limited Liability Company
 was received by me on *(date)* 01/28/2013.

☐ I personally served the summons on the individual at *(place)* _____
 _____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
 _____, a person of suitable age and discretion who resides there,
 on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
 designated by law to accept service of process on behalf of *(name of organization)* _____
 _____ on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☒ Other *(specify)*: Certified Mail, Service by Clerk on 1/29/2013

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0:00.

I declare under penalty of perjury that this information is true.

Date: 01/30/2013

s/Barbara L. Birr

Server's signature

Deputy Clerk

Printed name and title

801 West Superior Avenue
Cleveland, Ohio 44113

Server's address

Additional information regarding attempted service, etc:

UNITED STATES POSTAL SERVICE


 First-Class Mail
 Postage & Fees Paid
 USPS
 Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

 OFFICE OF THE CLERK
 CARL B. STOKES U.S. COURTHOUSE
 801 WEST SUPERIOR AVE.
 CLEVELAND, OH 44113

CASE NO. 1:12-CV-02776

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

 IRVING I. STONE
 LIMITED LIABILITY CO.
 IRVING I. STONE
 10500 AMERICAN ROAD
 CLEVELAND, OH 44144

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *James L. Smith*☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

1-29-13

- D. Is delivery address different from item 1? ☐ Yes
 If YES, enter delivery address below: ☐ No

3. Service Type

- ☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes
 2. Article Number
 (Transfer from service label)

7004 1350 0003 1200 2147

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540